| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/600,316 | 06/20/2003 | Jordi Albornoz | POU920030117US1 | 6085 |

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| 7590          05/01/2007 | EXAMINER |
| John E. Campbell | ARANI, TAGHI T |
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| 2455 South Road, P386 | ART UNIT / PAPER NUMBER |
| Poughkeepsie, NY 12601 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/600,316 | ALBORNOZ ET AL. |
| | Examiner | Art Unit | |
| | Taghi T. Arani | 2139 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.        2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-63* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,6-9,13,38-40,43-46,50-53,57-59 and 63* is/are rejected.

7)☒ Claim(s) *4,5,10-12,41,42,47-49,54-56 and 60-62* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

**1.**     Claims 1 –63 have been examined and are pending

### Response to Amendment

**2.**     Applicant's Amendment and arguments are fully considered and are persuasive.

A new ground(s) of rejection is presented in this Office action.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made to
> a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

Claims rejected under 35 U.S.C. 103(a) as being unpatentable over prior art of

record to Gupta (US 6,546,406), and further in view of  WO 03/0428 67.

**3.**     Claims 1-3, 38-40, 51-53 are rejected under 35 U.S.C. 102(e) as being anticipated

by US patent 6,546,405 to Gupta et al. (Hereinafter "Gupta").

**As per claims 1, 38 and 51**, Gupta teaches a method, a computer product and a

computer system for annotating a data object, the data object consisting of digital data,

the method comprising the steps of (Abstract, Fig. 1 and associated text, col. 4, lines 25-

51):

creating a first digital fingerprint value of the data object (col. 12, lines 58-66, see

also fog. 4 and associated text, where a globally unique identifier (GUID) is assigned to

multimedia document, see also col. 14, lines 23-42, where GUID is a concatenation of an

IP address, a time stamp and a random number),

storing the data object at a first location (col. 12, lines 35-41, where multimedia

documents are stored in server computer systems 100B-D, see also Fig. 1 A);

creating a first annotation object (col. 4, lines 52-63, where a temporal annotation

objected added to a displayed multimedia document, see also col.7, lines 17-44, where a

temporal annotation manager creates a temporal annotation and that (col. 1, lines 31-32, a

user can create multiple temporal annotation entries);

Gupta teaches associating the data object to the annotation object via a globally

unique identifier and saving in an annotation store the relationship between the data

object and the annotation object (col. 14, lines 58, identifier filed 402 of temporal

annotation database 150 contains GUID and/or an RTP address representing RTP address

of multimedia document 140, i.e. database 150 contains identifier field 402 and RTP

address filed 404 relating the GUID and the annotation with the multimedia document,

see also col. 12, lines 58-66) , Gupta fails to teach creating a first digital fingerprint value

of the data object creating a first relationship relating the first digital fingerprint value to

the first location; creating a second relationship relating the first digital fingerprint value

to the first annotation object.

However, WO 03/042867 is directed to a method of updating a database

comprising a fingerprint and an associated set of metadata for each of a number of

metadata (Abstract), comprising networking means for receiving a computed fingerprint and a set of metadata (annotation object), verifying means for determining whether the computed fingerprint is present in the database, and if so, associating the obtained set of metadata with said fingerprint (page 4, lines 12-18).

Therefore, it would have been obvious to one of ordinary skill in the art to employ the teachings of WO 03/042867 in Gupta's annotating multimedia content for creating a digital fingerprint value of the data object and creating a relationship relating the digital fingerprint value to the annotation object in order to obtain advantages in storing fingerprints for multimedia objects in a database e instead of the multimedia content itself (WO 03/042867, page 1, lines 23-29).

**As per claims 2, 39 and 52**, Gupta as modified teaches the method, the computer product and the computer system according to claims 1, 38 and 51 respectively, wherein the first digital fingerprint value is created from any one of the digital data of the object, the digital data of one or more portions of the object, the digital data of the object combined with other digital data or the digital data of the location of the object (WO 03/042867, page 1, lines 1-5).

**As per claims 3, 40, and 53**, Gupta as modified teaches the method, the computer program product and the computer system according to claims 1, 38 and 51 respectively, wherein the digital fingerprint value is created using any one of a checksum algorithm, a cyclic redundancy check, a hash algorithm, the SHA-256 secure hash algorithm, the SHA-1 secure hash algorithm or the MD5 message digest algorithm (WO 03/0428867, page 1, lines14-15).

## *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4.        Claims 6-9, 13, 43-46, 49, 56-59, and 63   rejected under 35 U.S.C. 102(a) as

being anticipated by WO 03/042,867 (IDS filed 08/19/2005).

**As per claims 6, 43 and 56,** WO 03/042867 teaches a method, a computer

program product and a system for accessing an annotated data object, the method

comprising the steps of:

obtaining a first digital fingerprint value for a data object (page 3, lines 16-20);

finding any one of a first annotation object having a relationship to the first digital

fingerprint value or the data object having a relationship to the first digital fingerprint

value (the temporal annotation database is retrieved based on the unique identifier); and

retrieving any one of the first annotation object or the data object (page 3, lines 21-25).

**As per claims 7, 44 and 57,** WO 03/042867 teaches the method, the computer

program product and the system according to claims 6, 43 and 56 respectively, wherein

the finding step comprises the further step of querying an annotation store for an entry

containing the first digital fingerprint value and a first relationship of the first digital

fingerprint to any one of an annotation object or the location of the data object  (page 3,

lines 26-28, where the server determines a definite set of metadata associated with a particular, fingerprint).

**As per claims 8, 45 and 58**, WO 03/042867 teaches method, the computer program product and the system according to claims 6,43 and 56 respectively, wherein the obtaining step comprises the further step of any one of: calculating the first digital fingerprint value of the data object; or querying an annotation store for a second annotation object and the first digital fingerprint associated with the second annotation object (page 4, lines 12-18).

**As per claims 9, 46 and 59**, WO 03/042867 teaches a method, a computer program product and a system for accessing a data object, the method comprising the steps of (Abstract);

retrieving at a first location a first digital fingerprint value of a first data object, a first annotation object related to the first digital fingerprint (page 3, lines 16-20), and a first identity of a second location related to the first digital fingerprint, the second location comprising location of the data object (page 5, lines 15-23, where other clients can browse the combined list in the server directory and then contact the client (second location) that has the object) retrieving the data object from the second location; and relating the first annotation object with the data object retrieved (page 5, line 15-23, where the client obtains (download) list from the client directory, page 8, once crawler has computed fingerprint for the multimedia object, and has obtained a set of metadata for the multimedia object, it includes fingerprints and set of metadata in a database ).

**As per claims 13, 49 and 63**, WO 03/042867 teaches a method, a computer program and

a system for annotating a data object, the method comprising the steps of:

associating a digital fingerprint value of a first data object with a first location of

the first data object (page 3, lines 16-20);

associating the digital fingerprint value of the first data object with a second

location of a second data object; and associating the first data object with the second data

object using the digital fingerprint value of the first data object (page 3, lines 26-28,

where server determines a definite set of metadata associated with a particular

fingerprint).

### *Allowable Subject Matter*

5.      Claim Claims 4-5, 10-12,41-42, 47-49, 54-56 and 60-62 are objected to as being

dependent upon a rejected base claim, but would be allowable if rewritten in independent

form including all of the limitations of the base claim and any intervening claims.

### Conclusion

5.      Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-

3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAGHI ARANI
PRIMARY EXAMINER

4/30/07